

1 DALE L. ALLEN, JR., State Bar No. 145279
2 dallen@aghwlaw.com
3 KEVIN P. ALLEN, State Bar No. 252290
4 kallen@aghwlaw.com
5 ALLEN, GLAESNER, HAZELWOOD & WERTH, LLP
6 180 Montgomery Street, Suite 1200
7 San Francisco, CA 94104
8 Telephone: (415) 697-2000
9 Facsimile: (415) 813-2045

10 Attorneys for Defendants
11 CITY OF REDDING, JOE ROSSI, JAY GUTERDING, and
12 BRETT LEONARD
13

14 UNITED STATES DISTRICT COURT
15
16 EASTERN DISTRICT OF CALIFORNIA

17 R.H., a minor, by and through her
18 guardian ad litem, Sheila Brown;
19 ESTATE OF ERIC JAY HAMES, by and
20 through its personal representative, Crystal
21 Dunlap-Bennett,

Case No. 2:20-CV-01435-WBS-DMC

**STIPULATION AND ORDER TO EXTEND
DISCOVERY DATES**

22 Plaintiff,

23 v.

24 CITY OF REDDING, a public entity; JOE
25 ROSSI, an individual; KIP KINNEAVY,
26 an individual; JAY GUTERDING, an
27 individual; BRETT LEONARD, an
28 individual; and DOES 5 through 20
inclusive,

Defendants.

29 ////

30 ////

31 ////

32 ////

33 ////

34 ////

35 ////

36 ////

1 IT IS HEREBY STIPULATED, and respectfully requested, by and between Plaintiffs
2 R.H., a minor, by and through her guardian ad litem, Sheila Brown, and ESTATE OF ERIC JAY
3 HAMES, by and through its personal representative, Crystal Dunlap-Bennet (hereinafter,
4 collectively “Plaintiffs”) and Defendants CITY OF REDDING, JOE ROSSI, KIP KINNEAVY,
5 JAY GUTERDING and BRETT LEONARD (hereinafter, collectively “Defendants”) by and
6 through their designated counsel, that:

7 WHEREAS, on July 17, 2020, Plaintiffs filed their Complaint (Dkt. No. 1);

8 WHEREAS, on August 10, 2020, Plaintiffs filed their First Amended Complaint (Dkt.
9 No. 8);

10 WHEREAS, on September 14, 2020, Defendants City of Redding, Joe Rossi, Jay
11 Guterding and Brett Leonard filed their Answer (Dkt. No. 10);

12 WHEREAS, on November 13, 2020, Defendant Kip Kinneavy filed his Answer (Dkt. No.
13 14);

14 WHEREAS, on November 16, 2020, the Court issued the Pre-Trial Scheduling Order
15 (Dkt. No. 16);

16 WHEREAS, the Parties did proceed as best able by Zoom depositions, but have been
17 delayed in retaining and completing discovery because of Covid;

18 WHEREAS, counsel for Defendants City of Redding, Joe Rossi, Jay Guterding and Brett
19 Leonard, Mr. Dale Allen, and counsel for Plaintiffs, Mr. Neil Gehlawat, are completing expert
20 depositions in a trial set for August 17, 2021 in Shasta Superior Court with Judge Stephen Baker
21 further causing delays in completing discovery;

22 WHEREAS, this is the first request for an extension on the case management schedule
23 and for the limited purposes of continuing discovery dates;

24 WHEREAS, the current discovery schedule is set as:

25 Discovery Cut-Off: September 24, 2021
26 (Inclusive of all expert depositions)

27 Expert Witness Disclosures: July 30, 2021

28 Rebuttal Expert Witness Disclosures: August 27, 2021; and

1 WHEREAS, the Parties met and conferred and agreed to extend discovery dates and set
2 the case schedule as proposed below:

3 Discovery Cut-Off: October 15, 2021
4 (Inclusive of all expert depositions)

5 Expert Witness Disclosure: September 10, 2021

6 Rebuttal Expert Witness Disclosure: September 27, 2021

7 **IT IS SO AGREED.**

8 Dated: July 14, 2021

9 By: /s/ Neil K. Gehlawat

10 NEIL K. GEHLAWAT

11 Attorneys for Plaintiffs

12 R.H., a minor, by and through her guardian ad
litem, Sheila Brown; ESTATE OF ERIC JAY
HAMES, by and through its personal
13 representative, Crystal Dunlap-Bennett,

14 Dated: July 14, 2021

15 By: /s/ Dale L. Allen, Jr.

16 DALE L. ALLEN, JR.

17 Attorneys for Defendants

18 CITY OF REDDING, JOE ROSSI, JAY
GUTERDING, AND BRETT LEONARD

19 Dated: July 14, 2021

20 By: /s/ Gary G. Goyette

21 GARY G. GOYETTE

22 Attorney for Defendant

23 KIP KINNEAVY

24 **IT IS SO ORDERED.**

25 Dated: July 19, 2021



26 DENNIS M. COTA

27 UNITED STATES MAGISTRATE JUDGE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ALLEN, GLAESSNER, HAZELWOOD & WERTH, LLP
180 Montgomery Street, Suite 1200
San Francisco, California 94104